

1 AMENDMENT TO HOUSE BILL 5847

2 AMENDMENT NO. _____. Amend House Bill 5847 by replacing
3 the title with the following:

4 "AN ACT in relation to sex offenders."; and

5 by replacing everything after the enacting clause with the
6 following:

7 "Section 5. The Sex Offender Registration Act is amended
8 by changing Sections 2, 3, 4, 5, 5-5, 6, 7, 8-5, and 10 as
9 follows:

10 (730 ILCS 150/2) (from Ch. 38, par. 222)

11 Sec. 2. Definitions.

12 (A) As used in this Article, ~~the following definitions~~
13 ~~apply~~ ~~--(A)~~ "sex offender" means any person who is:

14 (1) charged pursuant to Illinois law, or any
15 substantially similar federal, Uniform Code of Military
16 Justice, sister state, or foreign country law, with a sex
17 offense set forth in subsection (B) of this Section or
18 the attempt to commit an included sex offense, and:

19 (a) is convicted of such offense or an attempt
20 to commit such offense; or

21 (b) is found not guilty by reason of insanity

1 of such offense or an attempt to commit such
2 offense; or

3 (c) is found not guilty by reason of insanity
4 pursuant to Section 104-25(c) of the Code of
5 Criminal Procedure of 1963 of such offense or an
6 attempt to commit such offense; or

7 (d) is the subject of a finding not resulting
8 in an acquittal at a hearing conducted pursuant to
9 Section 104-25(a) of the Code of Criminal Procedure
10 of 1963 for the alleged commission or attempted
11 commission of such offense; or

12 (e) is found not guilty by reason of insanity
13 following a hearing conducted pursuant to a federal,
14 Uniform Code of Military Justice, sister state, or
15 foreign country law substantially similar to Section
16 104-25(c) of the Code of Criminal Procedure of 1963
17 of such offense or of the attempted commission of
18 such offense; or

19 (f) is the subject of a finding not resulting
20 in an acquittal at a hearing conducted pursuant to a
21 federal, Uniform Code of Military Justice, sister
22 state, or foreign country law substantially similar
23 to Section 104-25(a) of the Code of Criminal
24 Procedure of 1963 for the alleged violation or
25 attempted commission of such offense; or

26 (2) certified as a sexually dangerous person
27 pursuant to the Illinois Sexually Dangerous Persons Act,
28 or any substantially similar federal, Uniform Code of
29 Military Justice, sister state, or foreign country law;
30 or

31 (3) subject to the provisions of Section 2 of the
32 Interstate Agreements on Sexually Dangerous Persons Act;
33 or

34 (4) found to be a sexually violent person pursuant

1 to the Sexually Violent Persons Commitment Act or any
2 substantially similar federal, Uniform Code of Military
3 Justice, sister state, or foreign country law; or.

4 (5) adjudicated a juvenile delinquent as the result
5 of committing or attempting to commit an act which, if
6 committed by an adult, would constitute any of the
7 offenses specified in item (B), (C), or (C-5) of this
8 Section or a violation of any substantially similar
9 federal, Uniform Code of Military Justice, sister state,
10 or foreign country law, or found guilty under Article V
11 of the Juvenile Court Act of 1987 of committing or
12 attempting to commit an act which, if committed by an
13 adult, would constitute any of the offenses specified in
14 item (B), (C), or (C-5) of this Section or a violation of
15 any substantially similar federal, Uniform Code of
16 Military Justice, sister state, or foreign country law.

17 Convictions that result from or are connected with the
18 same act, or result from offenses committed at the same time,
19 shall be counted for the purpose of this Article as one
20 conviction. Any conviction set aside pursuant to law is not
21 a conviction for purposes of this Article.

22 ~~{A-5}--"Juvenile-sex-offender"--means-any--person--who--is~~
23 ~~Adjudicated--a--juvenile--delinquent--as--the--result--of--the~~
24 ~~commission-of-or-attempt-to-commit-a-violation-set--forth--in~~
25 ~~item-(B),-(C),-or-(C-5)-of-this-Section-or-a-violation-of-any~~
26 ~~substantially--similar--federal,-sister--state,-or--foreign~~
27 ~~country-law. For purposes of this Section, "convicted" shall~~
28 ~~have the same meaning as "adjudicated".~~

29 (B) As used in this Article Section, "sex offense"
30 means:

31 (1) A violation of any of the following Sections of
32 the Criminal Code of 1961:

33 11-20.1 (child pornography),

34 11-6 (indecent solicitation of a child),

- 1 11-9.1 (sexual exploitation of a child),
- 2 11-15.1 (soliciting for a juvenile prostitute),
- 3 11-18.1 (patronizing a juvenile prostitute),
- 4 11-17.1 (keeping a place of juvenile
- 5 prostitution),
- 6 11-19.1 (juvenile pimping),
- 7 11-19.2 (exploitation of a child),
- 8 12-13 (criminal sexual assault),
- 9 12-14 (aggravated criminal sexual assault),
- 10 12-14.1 (predatory criminal sexual assault of a
- 11 child),
- 12 12-15 (criminal sexual abuse),
- 13 12-16 (aggravated criminal sexual abuse),
- 14 12-33 (ritualized abuse of a child).

An attempt to commit any of these offenses.

(1.5) A felony violation of any of the following Sections of the Criminal Code of 1961, when the victim is a person under 18 years of age, the defendant is not a parent of the victim, and the offense was committed on or after January 1, 1996:

- 21 10-1 (kidnapping),
- 22 10-2 (aggravated kidnapping),
- 23 10-3 (unlawful restraint),
- 24 10-3.1 (aggravated unlawful restraint).

An attempt to commit any of these offenses.

(1.6) First degree murder under Section 9-1 of the Criminal Code of 1961, when the victim was a person under 18 years of age, the defendant was at least 17 years of age at the time of the commission of the offense, and the offense was committed on or after June 1, 1996.

(1.7) (Blank).

(1.8) A violation or attempted violation of Section 11-11 (sexual relations within families) of the Criminal Code of 1961, when-the-victim-was-a-person-under-18-years

1 ef-age and the offense was committed on or after June 1,
2 1997.

3 (1.9) Child abduction under paragraph (10) of
4 subsection (b) of Section 10-5 of the Criminal Code of
5 1961 committed by luring or attempting to lure a child
6 under the age of 16 into a motor vehicle, building, house
7 trailer ~~housetrailer~~, or dwelling place without the
8 consent of the parent or lawful custodian of the child
9 for other than a lawful purpose and the offense was
10 committed on or after January 1, 1998.

11 (1.10) A violation or attempted violation of any of
12 the following Sections of the Criminal Code of 1961 when
13 the offense was committed on or after July 1, 1999 the
14 ~~effective-date-of-this-amendatory-Act-of-the-91st-General~~
15 ~~Assembly:~~

16 10-4 (forcible detention, if the victim is
17 under 18 years of age),

18 11-6.5 (indecent solicitation of an adult),

19 11-15 (soliciting for a prostitute, if the
20 victim is under 18 years of age),

21 11-16 (pandering, if the victim is under 18
22 years of age),

23 11-18 (patronizing a prostitute, if the victim
24 is under 18 years of age),

25 11-19 (pimping, if the victim is under 18
26 years of age).

27 (1.11) A violation or attempted violation of any of
28 the following Sections of the Criminal Code of 1961 when
29 the offense was committed on or after the effective date
30 of this amendatory Act of the 92nd General Assembly:

31 11-9 (public indecency for a third or
32 subsequent conviction),

33 11-9.2 (custodial sexual misconduct).

34 (1.12) A violation or attempted violation of

1 Section 5.1 of the Wrongs to Children Act (permitting
 2 sexual abuse) when the offense was committed on or after
 3 the effective date of this amendatory Act of the 92nd
 4 General Assembly.

5 (2) A violation of any former law of this State
 6 substantially equivalent to any offense listed in
 7 subsection (B)~~(1)~~ of this Section.

8 (C) A conviction for an offense of federal law, Uniform
 9 Code of Military Justice, or the law of another state or a
 10 foreign country that is substantially equivalent to any
 11 offense listed in subsections ~~subsectien~~ (B), (C), and (E) of
 12 this Section shall constitute a conviction for the purpose of
 13 this Article. A finding or adjudication as a sexually
 14 dangerous person or a sexually violent person under any
 15 federal law, Uniform Code of Military Justice, or the law of
 16 another state or foreign country that is substantially
 17 equivalent to the Sexually Dangerous Persons Act or the
 18 Sexually Violent Persons Commitment Act shall constitute an
 19 adjudication for the purposes of this Article.

20 (C-5) A person at least 17 years of age at the time of
 21 the commission of the offense who is convicted of first
 22 degree murder under Section 9-1 of the Criminal Code of 1961,
 23 committed on or after June 1, 1996 against a person under 18
 24 years of age, shall be required to register for natural life.
 25 A conviction for an offense of federal, Uniform Code of
 26 Military Justice, sister state, or foreign country law that
 27 is substantially equivalent to any offense listed in
 28 subsection (C-5) of this Section shall constitute a
 29 conviction for the purpose of this Article.

30 (D) As used in this Article, "law enforcement agency
 31 having jurisdiction" means the Chief of Police in each of the
 32 municipalities ~~municipality~~ in which the sex offender expects
 33 to reside, work, or attend school (1) upon his or her
 34 discharge, parole or release or (2) during the service of his

1 or her sentence of probation or conditional discharge, or the
 2 Sheriff of the county, in the event no Police Chief exists or
 3 if the offender intends to reside, work, or attend school in
 4 an unincorporated area. "Law enforcement agency having
 5 jurisdiction" includes the location where out-of-state
 6 students attend school and where out-of-state employees are
 7 employed or are otherwise required to register.

8 (E) As used in this Article, "sexual predator" means any
 9 person who, after July 1, 1999 ~~the effective date of this~~
 10 ~~amendatory Act of the 91st General Assembly~~, is:

11 (1) Convicted for an offense of federal, Uniform
 12 Code of Military Justice, sister state, or foreign
 13 country law that is substantially equivalent to any
 14 offense listed in subsection (E) of this Section shall
 15 constitute a conviction for the purpose of this Article.
 16 Convicted of a violation or attempted violation of any of
 17 the following Sections of the Criminal Code of 1961, if
 18 and the conviction occurred after July 1, 1999 ~~the~~
 19 ~~effective date of this amendatory Act of the 91st General~~
 20 ~~Assembly~~:

- 21 11-17.1 (keeping a place of juvenile
- 22 prostitution),
- 23 11-19.1 (juvenile pimping),
- 24 11-19.2 (exploitation of a child),
- 25 11-20.1 (child pornography),
- 26 12-13 (criminal sexual assault, if the victim
- 27 is a person under 12 years of age),
- 28 12-14 (aggravated criminal sexual assault),
- 29 12-14.1 (predatory criminal sexual assault of
- 30 a child),
- 31 12-16 (aggravated criminal sexual abuse),
- 32 12-33 (ritualized abuse of a child); or

33 (2) convicted of first degree murder under Section
 34 9-1 of the Criminal Code of 1961, when the victim was a

1 person under 18 years of age and the defendant was at
2 least 17 years of age at the time of the commission of
3 the offense; or

4 (3) certified as a sexually dangerous person
5 pursuant to the Sexually Dangerous Persons Act or any
6 substantially similar federal, Uniform Code of Military
7 Justice, sister state, or foreign country law; or

8 (4) found to be a sexually violent person pursuant
9 to the Sexually Violent Persons Commitment Act or any
10 substantially similar federal, Uniform Code of Military
11 Justice, sister state, or foreign country law; or

12 (5) convicted of a second or subsequent offense
13 which requires registration pursuant to this Act. The
14 conviction for the second or subsequent offense must have
15 occurred after July 1, 1999 ~~the effective date of this~~
16 ~~amendatory Act of the 91st General Assembly.~~ For
17 purposes of this paragraph (5), "convicted" shall include
18 ~~includes~~ a conviction under any substantially similar
19 Illinois, federal, Uniform Code of Military Justice,
20 sister state, or foreign country law.

21 (F) As used in this Article, "out-of-state student"
22 means any sex offender, as defined in this Section, or sexual
23 predator who is enrolled in Illinois, on a full-time or
24 part-time basis, in any public or private educational
25 institution, including, but not limited to, any secondary
26 school, trade or professional institution, or institution of
27 higher learning.

28 (G) As used in this Article, "out-of-state employee"
29 means any sex offender, as defined in this Section, or sexual
30 predator who works in Illinois, regardless of whether the
31 individual receives payment for services performed, for a
32 period of time of 10 or more ~~exceeding 14~~ days or for an
33 aggregate period of time of exceeding 30 or more days during
34 any calendar year. Persons who operate motor vehicles in the

1 State accrue one day of employment time for any portion of a
2 day spent in Illinois.

3 (Source: P.A. 90-193, eff. 7-24-97; 90-494, eff. 1-1-98;
4 90-655, eff. 7-30-98; 91-48, eff. 7-1-99; revised 12-9-99.)

5 (730 ILCS 150/3) (from Ch. 38, par. 223)

6 Sec. 3. Duty to register.

7 (a) A sex offender, as defined in Section 2 of this Act,
8 or sexual predator shall, within the time period prescribed
9 in subsections (b) and subsection (c), register in person and
10 provide accurate information as required by the Department of
11 State Police. Such information shall ~~will~~ include current
12 address, current place of employment, and school attended.

13 The sex offender or sexual predator shall register:

14 (1) with the chief of police in each of the
15 municipalities ~~municipality~~ in which he or she attends
16 school, is employed, resides or is temporarily domiciled
17 for a period of time of 10 or more days, unless the
18 municipality is the City of Chicago, in which case he or
19 she shall register at the Chicago Police Department
20 Headquarters; or

21 (2) with the sheriff in each of the counties in
22 which ~~county,~~ if he or she attends school, is employed,
23 resides or is temporarily domiciled ~~for-more-than-10-days~~
24 in an unincorporated area or, if incorporated, no police
25 chief exists.

26 For purposes of this Article, the place of residence or
27 temporary domicile is defined as any and all places where the
28 sex offender resides for an aggregate period of time of 10 or
29 more days during any calendar year.

30 The sex offender or sexual predator shall provide
31 accurate information as required by the Department of State
32 Police. That information shall include the sex offender's or
33 sexual predator's current place of employment.

1 (a-5) An A out-of-state student or out-of-state employee
 2 shall, within 10 days after beginning school or employment in
 3 this State, register in person and provide accurate
 4 information as required by the Department of State Police.
 5 Such information will include current place of employment,
 6 school attended, and address in state of residence:

7 (1) with the chief of police in each of the
 8 municipalities municipality in which he or she is
 9 employed-~~or~~ attends school or is employed for a period of
 10 time of 10 or more days ~~exceeding--14--days~~ or for an
 11 aggregate period of time of more than ~~exceeding~~ 30 days
 12 during any calendar year, unless the municipality is the
 13 City of Chicago, in which case he or she shall register
 14 at the Chicago Police Department Headquarters; ~~i~~7 or

15 (2) with the sheriff in each of the counties county
 16 in which he or she attends school or is employed for a
 17 period of time of 10 or more days ~~exceeding--14--days~~ or
 18 for an aggregate period of time of more than ~~exceeding~~ 30
 19 days during any calendar year in an unincorporated area,
 20 or, if incorporated, no police chief exists.

21 The out-of-state student or out-of-state employee shall
 22 provide accurate information as required by the Department of
 23 State Police. That information shall include the
 24 out-of-state student's current place of school attendance or
 25 the out-of-state employee's current place of employment.

26 ~~(a-5)--In--addition--to--the--registration--requirements~~
 27 ~~imposed-upon-a-sex-offender-by-subsection-(a), a sex-offender~~
 28 ~~who-is-required-to-register-under-this--Article--and--who--is~~
 29 ~~employed-on-the-effective-date-of-this-amendatory-Act-of-1999~~
 30 ~~within--10--days--after-the-effective-date-of-this-amendatory~~
 31 ~~Act-of-1999-and-a-sex-offender-who-is-convicted-on--or--after~~
 32 ~~the--effective-date-of-this-amendatory-Act-of-1999, within 10~~
 33 ~~days-after-employment-shall-submit-in-person--or--in--writing~~
 34 ~~the--business--name--and-address-where-he-or-she-is-employed.~~

1 Multiple-businesses-or-work-locations-must-be-reported-to-the
 2 agency-having-jurisdiction.--The-sex-offender-must-submit-his
 3 or-her-business-address-to-the-law-enforcement-agency--having
 4 jurisdiction--within-10-days-after-obtaining-employment-or-if
 5 employed-on-the-effective-date-of-this-amendatory-Act-of-1999
 6 within-10-days-after-that-effective-date.

7 (b) Any sex offender, as defined in Section 2 of this
 8 Act, or sexual predator, regardless of any initial, prior, or
 9 other registration, shall, within 10 days of beginning
 10 school, or establishing a residence, place of employment, or
 11 temporary domicile ~~for more than 10 days~~ in any county,
 12 register in person as set forth in subsection (a)(1), (a)(2),
 13 or (a-5).

14 (c) The registration for any person required to register
 15 under this Article shall be as follows:

16 (1) Any person registered under the Habitual Child
 17 Sex Offender Registration Act or the Child Sex Offender
 18 Registration Act prior to January 1, 1996, shall be
 19 deemed initially registered as of January 1, 1996;
 20 however, this shall not be construed to extend the
 21 duration of registration set forth in Section 7.;

22 (2) Except as provided in subsection (c)(4), any
 23 person convicted or adjudicated prior to January 1, 1996,
 24 whose liability for registration under Section 7 has not
 25 expired, shall register in person prior to January 31,
 26 1996.;

27 (2.5) Except as provided in subsection (c)(4), any
 28 person who has not been notified of his or her
 29 responsibility to register shall be notified by a
 30 criminal justice entity of his or her responsibility to
 31 register. Upon notification the person must then
 32 register within 10 days of notification of his or her
 33 requirement to register. If notification is not made
 34 within the offender's 10 year registration requirement,

1 and the Department of State Police determines no evidence
2 exists or indicates the offender attempted to avoid
3 registration, the offender will no longer be required to
4 register under this Act.

5 (3) Except as provided in subsection (c)(4), any
6 person convicted on or after January 1, 1996, shall
7 register in person within 10 days after the entry of the
8 sentencing order based upon his or her conviction.†

9 (4) Any person unable to comply with the
10 registration requirements of this Article because he or
11 she is they---are confined, institutionalized, or
12 imprisoned in Illinois on or after January 1, 1996, shall
13 register in person within 10 days of discharge, parole or
14 release.†

15 (5) The person shall provide positive
16 identification and documentation that substantiates proof
17 of residence at the registering address.†-and

18 (6) The person shall pay a \$10 initial registration
19 fee and a \$5 annual renewal fee. The fees shall be used
20 by the registering agency for official purposes. The
21 agency shall establish procedures to document receipt and
22 use of the funds. The law enforcement agency having
23 jurisdiction may waive the registration fee if it
24 determines that the person is indigent and unable to pay
25 the registration fee.

26 (d) Within 10 days after obtaining or changing
27 employment and, if employed on January 1, 2000, within 10
28 days after that date, a person required to register under
29 this Section must report, in person or in writing to the law
30 enforcement agency having jurisdiction, the business name and
31 address where he or she is employed. If the person has
32 multiple businesses or work locations, every business and
33 work location must be reported to the law enforcement agency
34 having jurisdiction.

1 (Source: P.A. 90-193, eff. 7-24-97; 91-48, eff. 7-1-99;
2 91-394, eff. 1-1-00; revised 12-9-99.)

3 (730 ILCS 150/4) (from Ch. 38, par. 224)

4 Sec. 4. Discharge of sex offender, as defined in Section
5 2 of this Act, or sexual predator from Department of
6 Corrections facility or other penal institution; duties of
7 official in charge. Any sex offender, as defined in Section 2
8 of this Act, or sexual predator, as defined by this Article,
9 who is discharged, paroled or released from a Department of
10 Corrections facility, a facility where such person was placed
11 by the Department of Corrections or another penal
12 institution, and whose liability for registration has not
13 terminated under Section 7 shall, prior to discharge, parole
14 or release from the facility or institution, be informed of
15 his or her duty to register in person within 10 days under
16 this Article by the facility or institution in which he or
17 she was confined. The facility or institution shall also
18 inform any person who must register that if he or she
19 establishes a residence outside of the State of Illinois, is
20 employed outside of the State of Illinois, or attends school
21 outside of the State of Illinois, he or she must register in
22 the new state within 10 days after establishing the
23 residence, beginning employment, or beginning school.

24 The facility shall require the person to read and sign
25 such form as may be required by the Department of State
26 Police stating that the duty to register and the procedure
27 for registration has been explained to him or her and that he
28 or she understands the duty to register and the procedure for
29 registration. The facility shall further advise the person
30 in writing that the failure to register or other violation of
31 this Article shall result in revocation of parole, mandatory
32 supervised release or conditional release. The facility shall
33 obtain information about the-address where the person expects

1 to reside, work, and attend school upon his or her discharge,
 2 parole or release and shall report the information address to
 3 the Department of State Police. The facility shall give one
 4 copy of the form to the person and shall send one copy to
 5 each of two--copies-to-the-Department-of-State-Police-which
 6 shall-notify the law enforcement agencies agency having
 7 jurisdiction where the person expects to reside, work, and
 8 attend school upon his or her discharge, parole or release
 9 and retain one copy for the files. Electronic data files
 10 which includes all notification form information and
 11 photographs of sex offenders being released from an Illinois
 12 Department of Corrections facility will be shared on a
 13 regular basis as determined between the Department of State
 14 Police and the Department of Corrections.

15 (Source: P.A. 90-193, eff. 7-24-97; 91-48, eff. 7-1-99.)

16 (730 ILCS 150/5) (from Ch. 38, par. 225)

17 Sec. 5. Release of sex offender, as defined in Section 2
 18 of this Act, or sexual predator; duties of the Court. Any sex
 19 offender, as defined in Section 2 of this Act, or sexual
 20 predator, as defined by this Article, who is released on
 21 probation or discharged upon payment of a fine because of the
 22 commission of one of the offenses defined in subsection (B)
 23 of Section 2 of this Article, shall, prior to such release be
 24 informed of his or her duty to register under this Article by
 25 the Court in which he or she was convicted. The Court shall
 26 also inform any person who must register that if he or she
 27 establishes a residence outside of the State of Illinois, is
 28 employed outside of the State of Illinois, or attends school
 29 outside of the State of Illinois, he or she must register in
 30 the new state within 10 days after establishing the
 31 residence, beginning employment, or beginning school. The
 32 Court shall require the person to read and sign such form as
 33 may be required by the Department of State Police stating

1 that the duty to register and the procedure for registration
2 has been explained to him or her and that he or she
3 understands the duty to register and the procedure for
4 registration. The Court shall further advise the person in
5 writing that the failure to register or other violation of
6 this Article shall result in probation revocation. The Court
7 shall obtain information about the-address where the person
8 expects to reside, work, and attend school upon his or her
9 release, and shall report the information address to the
10 Department of State Police. The Court shall give one copy of
11 the form to the person and retain the original in the court
12 records. The Department of State Police shall notify the law
13 enforcement agencies agency having jurisdiction where the
14 person expects to reside, work and attend school upon his or
15 her release.

16 (Source: P.A. 90-193, eff. 7-24-97; 91-48, eff. 7-1-99.)

17 (730 ILCS 150/5-5)

18 Sec. 5-5. Discharge of sex offender or sexual predator
19 from a hospital or other treatment facility; duties of the
20 official in charge. Any sex offender, as defined in Section 2
21 of this Act, or sexual predator, as defined in this Article,
22 who is discharged or released from a hospital or other
23 treatment facility where he or she was confined shall be
24 informed by the hospital or treatment facility in which he or
25 she was confined, prior to discharge or release from the
26 hospital or treatment facility, of his or her duty to
27 register under this Article.

28 The facility shall require the person to read and sign
29 such form as may be required by the Department of State
30 Police stating that the duty to register and the procedure
31 for registration has been explained to him or her and that he
32 or she understands the duty to register and the procedure for
33 registration. The facility shall give one copy of the form

1 to the person, retain one copy for their records, and forward
 2 the original to the Department of State Police. The facility
 3 shall obtain information about the address where the person
 4 expects to reside, work, and attend school upon his or her
 5 discharge, parole, or release and shall report the
 6 information address to the Department of State Police within
 7 3 days. The facility or institution shall also inform any
 8 person who must register that if he or she establishes a
 9 residence outside of the State of Illinois, is employed
 10 outside of the State of Illinois, or attends school outside
 11 of the State of Illinois, he or she must register in the new
 12 state within 10 days after establishing the residence,
 13 beginning school, or beginning employment. The Department of
 14 State Police shall notify the law enforcement agencies agency
 15 having jurisdiction where the person expects to reside, work,
 16 and attend school upon his or her release.

17 (Source: P.A. 90-193, eff. 7-24-97; 91-48, eff. 7-1-99.)

18 (730 ILCS 150/6) (from Ch. 38, par. 226)

19 Sec. 6. Duty to report; change of address, school, or
 20 employment; duty to inform. A person who has been adjudicated
 21 to be sexually dangerous or is a sexually violent person and
 22 is later released, or found to be no longer sexually
 23 dangerous or no longer a sexually violent person and
 24 discharged, shall ~~must~~ report in person to the law
 25 enforcement agency with whom he or she last registered no
 26 later than 90 days after the date of his or her last
 27 registration and every 90 days thereafter. Any other person
 28 who is required to register under this Article shall report
 29 in person to the appropriate law enforcement agency with whom
 30 he or she last registered within one year from the date of
 31 last ~~that~~ registration and every year thereafter. If any
 32 person required to register under this Article changes his or
 33 her residence address, ~~or~~ place of employment, or school, he

1 or she shall, in writing, within 10 days inform the law
2 enforcement agency with whom he or she last registered of his
3 or her new address, change in or-new-place-of employment, or
4 school and register with the appropriate law enforcement
5 agency within the time period specified in Section 3. The
6 law enforcement agency shall, within 3 days of receipt,
7 notify the Department of State Police and the law enforcement
8 agency having jurisdiction of the new place of residence,
9 change in or-new-place-of employment, or school.

10 If any person required to register under this Article
11 establishes a residence or employment outside of the State of
12 Illinois, within 10 days after establishing that residence or
13 employment, he or she shall, in writing, inform the law
14 enforcement agency with which he or she last registered of
15 his or her out-of-state residence or employment. The law
16 enforcement agency with which such person last registered
17 shall, within 3 days notice of an address or employment
18 change, notify the Department of State Police. The
19 Department of State Police shall forward such information to
20 the out-of-state law enforcement agency having jurisdiction
21 in the form and manner prescribed by the Department of State
22 Police.

23 (Source: P.A. 91-48, eff. 7-1-99; 91-394, eff. 1-1-00; 92-16,
24 eff. 6-28-01.)

25 (730 ILCS 150/7) (from Ch. 38, par. 227)

26 Sec. 7. Duration of registration. A person who has been
27 adjudicated to be sexually dangerous and is later released or
28 found to be no longer sexually dangerous and discharged,
29 shall register for the period of his or her natural life. A
30 sexually violent person or sexual predator shall register for
31 the period of his or her natural life after conviction or
32 adjudication if not confined to a penal institution,
33 hospital, or other institution or facility, and if confined,

1 for the period of his or her natural life after parole,
2 discharge, or release from any such facility. Any other
3 person who is required to register under this Article shall
4 be required to register for a period of 10 years after
5 conviction or adjudication if not confined to a penal
6 institution, hospital or any other institution or facility,
7 and if confined, for a period of 10 years after parole,
8 discharge or release from any such facility. A sex offender
9 who is allowed to leave a county, State, or federal facility
10 for the purposes of work release, education, or overnight
11 visitations shall be required to register within 10 days of
12 beginning such a program. Liability for registration
13 terminates at the expiration of 10 years from the date of
14 conviction or adjudication if not confined to a penal
15 institution, hospital or any other institution or facility
16 and if confined, at the expiration of 10 years from the date
17 of parole, discharge or release from any such facility,
18 providing such person does not, during that period, again
19 become liable to register under the provisions of this
20 Article. The Director of State Police, consistent with
21 administrative rules, shall extend for 10 years the
22 registration period of any sex offender, as defined in
23 Section 2 of this Act, who fails to comply with the
24 provisions of this Article.

25 (Source: P.A. 90-193, eff. 7-24-97; 91-48, eff. 7-1-99.)

26 (730 ILCS 150/8-5)

27 Sec. 8-5. Address verification requirements. The agency
28 having jurisdiction shall verify the address of sex
29 offenders, as defined in Section 2 of this Act, or sexual
30 predators required to register with their agency at least
31 once per calendar year. The verification must be documented
32 in LEADS in the form and manner required by the Department of
33 State Police.

(730 ILCS 150/10) (from Ch. 38, par. 230)

Sec. 10. Penalty. Any person who is required to register under this Article who violates any of the provisions of this Article and any person who is required to register under this Article who seeks to change his or her name under Article 21 of the Code of Civil Procedure is guilty of a Class 4 felony. Any person who is required to register under this Article who knowingly or wilfully gives material information required by this Article that is false is guilty of a Class 3 felony. Any person convicted of a violation of any provision of this Article shall, in addition to any other penalty required by law, be required to serve a minimum period of 7 days confinement in the local county jail. The court shall impose a mandatory minimum fine of \$500 for failure to comply with any provision of this Article. These fines shall be deposited in the Sex Offender Registration Fund. Any sex offender, as defined in Section 2 of this Act, or sexual predator who violates any provision of this Article may be tried in any Illinois county where the sex offender can be located.

(Source: P.A. 91-48, eff. 7-1-99; 91-221, eff. 7-22-99; 92-16, eff. 6-28-01.)

Section 10. The Sex Offender and Child Murderer Community Notification Law is amended by changing Sections 105, 117, and 120 as follows:

(730 ILCS 152/105)

Sec. 105. Definitions. As used in this Article, the following definitions apply:

"Child care facilities" has the meaning set forth in the Child Care Act of 1969, but does not include licensed foster homes.

"Law enforcement agency having jurisdiction" means the

1 Chief of Police in the municipality in which the sex offender
2 expects to reside (1) upon his or her discharge, parole or
3 release or (2) during the service of his or her sentence of
4 probation or conditional discharge, or the Sheriff of the
5 county, in the event no Police Chief exists or if the
6 offender intends to reside in an unincorporated area. "Law
7 enforcement agency having jurisdiction" includes the location
8 where out-of-state students attend school and where
9 out-of-state employees are employed or are otherwise required
10 to register.

11 "Sex offender" means any sex offender as defined in the
12 Sex Offender Registration Act whose offense or adjudication
13 as a sexually dangerous person occurred on or after June 1,
14 1996, and whose victim was under the age of 18 at the time
15 the offense was committed but does not include the offenses
16 set forth in subsection (b)(1.5) of Section 2 of that Act;
17 and any sex offender as defined in the Sex Offender
18 Registration Act whose offense or adjudication as a sexually
19 dangerous person occurred on or after June 1, 1997, and whose
20 victim was 18 years of age or older at the time the offense
21 was committed but does not include the offenses set forth in
22 subsection (b)(1.5) of Section 2 of that Act.

23 "Sex offender" also means any sex offender as defined in
24 the Sex Offender Registration Act whose offense or
25 adjudication as a sexually dangerous person occurred before
26 June 1, 1996, and whose victim was under the age of 18 at the
27 time the offense was committed but does not include the
28 offenses set forth in subsection (b)(1.5) of Section 2 of
29 that Act; and any sex offender as defined in the Sex Offender
30 Registration Act whose offense or adjudication as a sexually
31 dangerous person occurred before June 1, 1997, and whose
32 victim was 18 years of age or older at the time the offense
33 was committed but does not include the offenses set forth in
34 subsection (b)(1.5) of Section 2 of that Act.

1 "Juvenile sex offender" means any person who is
 2 adjudicated a juvenile delinquent as the result of the
 3 commission of or attempt to commit a violation set forth in
 4 item (B), (C), or (C-5) of Section 2 of the Sex Offender
 5 Registration Act, or a violation of any substantially similar
 6 federal, Uniform Code of Military Justice, sister state, or
 7 foreign country law, and whose adjudication occurred on or
 8 after the effective date of this amendatory Act of the 91st
 9 General Assembly.

10 (Source: P.A. 90-193, eff. 7-24-97; 91-48, eff. 7-1-99.)

11 (730 ILCS 152/117)

12 Sec. 117. The Department of State Police shall
 13 promulgate rules to develop a list of sex offenders covered
 14 by this Act and a list of child care facilities, and schools,
 15 and institutions of higher education eligible to receive
 16 notice under this Act, so that the list can be disseminated
 17 in a timely manner to law enforcement agencies having
 18 jurisdiction.

19 (Source: P.A. 89-428, eff. 6-1-96; 89-462, eff. 6-1-96;
 20 90-193, eff. 7-24-97.)

21 (730 ILCS 152/120)

22 Sec. 120. Community notification of sex offenders.

23 (a) The sheriff of the county, except Cook County, shall
 24 disclose to the following the name, address, date of birth,
 25 place of employment, school attended, and offense or
 26 adjudication of all sex offenders required to register under
 27 Section 3 of the Sex Offender Registration Act:

28 (1) The boards of institutions of higher education
 29 or other appropriate administrative offices of each
 30 non-public institution of higher education located in the
 31 county where the sex offender is required to register,
 32 resides, is employed, or is attending an institution of

1 higher education (Blank); and

2 (2) School boards of public school districts and
3 the principal or other appropriate administrative officer
4 of each nonpublic school located in the county where the
5 sex offender is required to register or is employed; and

6 (3) Child care facilities located in the county
7 where the sex offender is required to register or is
8 employed.

9 (a-2) The sheriff of Cook County shall disclose to the
10 following the name, address, date of birth, place of
11 employment, school attended, and offense or adjudication of
12 all sex offenders required to register under Section 3 of the
13 Sex Offender Registration Act:

14 (1) School boards of public school districts and
15 the principal or other appropriate administrative officer
16 of each nonpublic school located within the region of
17 Cook County, as those public school districts and
18 nonpublic schools are identified in LEADS, other than the
19 City of Chicago, where the sex offender is required to
20 register or is employed; and

21 (2) Child care facilities located within the region
22 of Cook County, as those child care facilities are
23 identified in LEADS, other than the City of Chicago,
24 where the sex offender is required to register or is
25 employed; and

26 (3) The boards of institutions of higher education
27 or other appropriate administrative offices of each
28 non-public institution of higher education located in the
29 county, other than the City of Chicago, where the sex
30 offender is required to register, resides, is employed,
31 or attending an institution of higher education.

32 (a-3) The Chicago Police Department shall disclose to
33 the following the name, address, date of birth, place of
34 employment, school attended, and offense or adjudication of

1 all sex offenders required to register under Section 3 of the
2 Sex Offender Registration Act:

3 (1) School boards of public school districts and
4 the principal or other appropriate administrative officer
5 of each nonpublic school located in the police district
6 where the sex offender is required to register or is
7 employed if the offender is required to register or is
8 employed in the City of Chicago; and

9 (2) Child care facilities located in the police
10 district where the sex offender is required to register
11 or is employed if the offender is required to register or
12 is employed in the City of Chicago; and

13 (3) The boards of institutions of higher education
14 or other appropriate administrative offices of each
15 non-public institution of higher education located in the
16 police district where the sex offender is required to
17 register, resides, is employed, or attending an
18 institution of higher education in the City of Chicago.

19 (a-4) The Department of State Police shall provide a
20 list of sex offenders required to register to the Illinois
21 Department of Children and Family Services.

22 (b) The Department of State Police and any law
23 enforcement agency may disclose, in the Department's or
24 agency's discretion, the following information to any person
25 likely to encounter a sex offender, or sexual predator
26 ~~required-to-register-under-Section--3--of--the--Sex--Offender~~
27 ~~Registration-Act:~~

28 (1) The offender's name, address, and date of
29 birth.

30 (2) The offense for which the offender was
31 convicted.

32 (3) Adjudication as a sexually dangerous person.

33 (4) The offender's photograph or other such
34 information that will help identify the sex offender.

1 (5) Offender employment information, to protect
2 public safety.

3 (c) The name, address, date of birth, and offense or
4 adjudication for sex offenders required to register under
5 Section 3 of the Sex Offender Registration Act shall be open
6 to inspection by the public as provided in this Section.
7 Every municipal police department shall make available at its
8 headquarters the information on all sex offenders who are
9 required to register in the municipality under the Sex
10 Offender Registration Act. The sheriff shall also make
11 available at his or her headquarters the information on all
12 sex offenders who are required to register under that Act and
13 who live in unincorporated areas of the county. Sex offender
14 information must be made available for public inspection to
15 any person, no later than 72 hours or 3 business days from
16 the date of the request. The request must be made in person,
17 in writing, or by telephone. Availability must include giving
18 the inquirer access to a facility where the information may
19 be copied. A department or sheriff may charge a fee, but the
20 fee may not exceed the actual costs of copying the
21 information. An inquirer must be allowed to copy this
22 information in his or her own handwriting. A department or
23 sheriff must allow access to the information during normal
24 public working hours. The sheriff or a municipal police
25 department may publish the photographs of sex offenders where
26 any victim was 13 years of age or younger and who are
27 required to register in the municipality or county under the
28 Sex Offender Registration Act in a newspaper or magazine of
29 general circulation in the municipality or county or may
30 disseminate the photographs of those sex offenders on the
31 Internet or on television. The law enforcement agency may
32 make available the information on all sex offenders residing
33 within any county.

34 (d) The Department of State Police and any law

1 enforcement agency having jurisdiction may, in the
2 Department's or agency's discretion, place the information
3 specified in subsection (b) on the Internet or in other
4 media.

5 (e) The Department of State Police and any law
6 enforcement agency having jurisdiction may, in the
7 Department's or agency's discretion, only provide the
8 information specified in subsection (b), with respect to an
9 adjudicated juvenile delinquent a-jvenile-sex-offender, to
10 any person when that person's safety may be compromised for
11 some reason related to the juvenile sex offender.

12 (Source: P.A. 91-48, eff. 7-1-99; 91-221, eff. 7-22-99;
13 91-224, eff. 7-1-00; 91-357, eff. 7-29-99; 91-394, eff.
14 1-1-00; 92-16, 6-28-01.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law."